



Tannenbaum Helpert
Syracuse & Hirschtritt LLP

900 Third Avenue New York, NY 10022-4775
Tel: (212) 508-6700 | Fax: (212) 371-1084
www.thsh.com | @THSHLAW

Andrew P. Yacyshyn
(212) 508-6792
yacyshyn@thsh.com

September 11, 2018

BY ECF & EMAIL

The Honorable Katherine B. Forrest, U.S.D.J.
United States District Court
Southern District of New York
500 Pearl Street, Room 2230
New York, NY 10007
ForrestNYSDCChambers@nysd.uscourts.gov

Re: Acknowledgment of Receipt of Service by Mail and
Request for Extension of Time to Respond to Amended Complaint
Robert Williams v. Classic Security et al.
Case No.: 18-cv-01691-KBF

Dear Judge Forrest:

As you know, we represent Classic Security, LLC (“Classic”), a defendant in the above-referenced discrimination action. On or about September 7, 2018, Classic received an Acknowledgment of Receipt of Summons and Complaint form (“Acknowledgment of Receipt”), from the U.S. Marshals Service. On September 11, 2018, Classic completed and mailed to the U.S. Marshals Service the enclosed Acknowledgment of Receipt.¹ We respectfully request that Classic’s deadline to respond to the Amended Complaint be extended by 60 days from September 11, 2018, to November 12, 2018.

Although Classic was not previously served with either the Complaint or the Amended Complaint in this matter, Classic did request a prior extension of its time to respond to Plaintiff’s Amended Complaint after Plaintiff filed it in this case. In Classic’s prior request, Classic pointed out that it had not been properly served by Plaintiff and that it was requesting that the Court

¹ According to the Court’s Standing Order, dated December 30, 2013, Extending the Time To Answer After United States Marshals Service Effects Service On A Defendant By Mail Under N.Y. C.P.L.R. § 312-a, a defendant who timely returns a completed, dated, and signed Acknowledgment Form to the U.S. Marshals Service will have 60 days from the date the defendant mails the completed Acknowledgment Form to the U.S. Marshals Service to file and serve an answer or motion in response to the complaint.



Honorable Katherine B. Forrest
September 11, 2018
Page 2 of 2

extend what its deadline to respond would have been if Plaintiff had properly served his Amended Complaint when he filed it. The Court granted Classic's request at that time and set Classic's deadline to respond to the Amended Complaint as September 17, 2018. As Classic is now electing to waive the service requirement pursuant to the request provided by the U.S. Marshals Service, Classic's deadline to respond to the Amended Complaint should be extended to November 12, 2018.

Finally, we also respectfully request that the court-ordered mediation for this case be scheduled for a date following Classic's new deadline to respond to the Amended Complaint on November 12, 2018.

Thank you, Your Honor, for your consideration in this matter.

Respectfully submitted,

Andrew P. Yacyshyn

Enclosure

cc: Robert Williams
P.O. Box 246
Bronx, NY 10467
Pro Se
[BY U.S. MAIL]

CIVIL ACTION FILE NUMBER: 18 civ. 1691

Robert Williams vs. Classic Security: et al.

B. ACKNOWLEDGMENT OF RECEIPT OF SUMMONS AND COMPLAINT OR PETITION

I received a summons and complaint. PLEASE CHECK ONE OF THE FOLLOWING;

IF 2 IS CHECKED, COMPLETE AS INDICATED:

1. ☒ I am not in military service.

2. ☐ I am in military service, and my rank, serial number and branch of service are as follows:

Rank: _____
Serial Number: _____
Branch of Service: _____

TO BE COMPLETED REGARDLESS OF MILITARY STATUS:

Date: 9/11/18
(Date this acknowledgment is executed)

I affirm the above as true under penalty of perjury


Signature

Andrew P. Yacyshyn
Print Name

Attorney for Classic Security, LLC
Relationship to Entity/Authority to Receive Service
of Process (i.e., self, officer, attorney, etc.)

USMS OFFICIAL: BECKY BRILL